IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.2503 OF 2005

The Tata Power Co.Ltd. ..Petitioner.

V/s.

The Union of India & Ors. ..Respondents.

Mr.Vikram Nankani with D.D. Mehta i/b.Mulla & Mulla C.B.& C. for petitioner.

Mrs.S.V.Bharucha with Yogesh Bhate for respondents.

CORAM : V.C. DAGA AND
J.P.DEVADHAR, JJ.

DATED : 5TH OCTOBER, 2005.

P.C. :-

1. Rule, returnable forthwith.

2. Mrs.S.V.Bharucha waives service for the respondents.

3. Heard finally with the consent of the parties.

4. Without going to the issues raised in the petition, this petition can be disposed of by issuing directions to respondent No.2 to adjudicate upon the show cause notice dated 7/6/2005 incorporated at

Exhibit-C within a period of 10 days from today. The learned counsel appearing for the Revenue undertakes to communicate this order to the adjudicating authority immediately.

5. Needless to mention that all rival contentions are kept open. The petitioner undertakes to appear before the adjudicating authority on 6th October, 2005.

6. Adjudicating authority to proceed to hear either on 6th October, 2005 or any other suitable date, but must adjudicate upon the said show cause notice within the time frame prescribed.

7. Petition, therefore, stands disposed of accordingly. Rule is made absolute in the above terms with no order as to costs.

Parties to act on an ordinary copy of this order duly authenticated by the P.A.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)